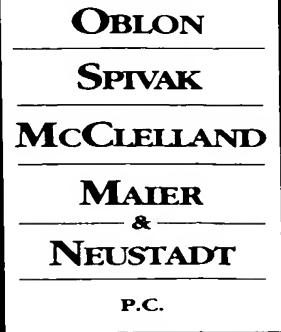




ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A  
NOTICE TO FILE MISSING  
PARTS OF AN APPLICATION**



ATTORNEYS AT LAW

NORMAN F. OBLON  
(703) 413-3000  
NOBLON@OBLON.COM

DANIEL J. PEREIRA  
(703) 413-3000  
DPEREIRA@OBLON.COM

\*REGISTERED PATENT AGENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Re: Inventor: Thomas HERMANN et al  
Serial No: 10 058,945  
Filed: January 30, 2002  
For: NUCLEOTIDE SEQUENCE CODING FOR THE OtsA PROTEIN

SIR:

Attached hereto for filing are the following papers:

- Notice to File Missing Parts - Return Copy
- Filing of Declaration under 37 CFR 1.53(f)
- Declaration and Power of Attorney for Patent Application, Executed, 8 pages

Our check in the amount of \$ \_\_\_\_ is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

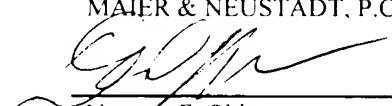
Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Docket No.: 215482US0X

22850



\_\_\_\_\_  
Norman F. Oblon  
Registration No. 24,618

Daniel J. Pereira, Ph.D.  
Registration No. 45,518

Tel (703) 413-3000  
Fax (703) 413-2220  
(OSMMN 10 98)

1755 JEFFERSON DAVIS HIGHWAY ■ FOURTH FLOOR ■ ARLINGTON, VIRGINIA 22202 ■ U.S.A.  
TELEPHONE: 703-413-3000 ■ FACSIMILE: 703-413-2220 ■ WWW.OBLON.COM



OCT 11 E 2002  
MAY 13 2002  
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20591  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/058,945	01/30/2002	Thomas Hermann	215482US0X

## CONFIRMATION NO. 5458

22850  
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC  
FOURTH FLOOR  
1755 JEFFERSON DAVIS HIGHWAY  
ARLINGTON, VA 22202

## FORMALITIES LETTER



\*OC00000007628150\*

Date Mailed: 03/13/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.

*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE